

REMARKS

The Applicant wishes to thank the Examiner for his examination of the present application. As amended, this application includes claims 1-36 of which claims 1, 12, 20, and 26 are independent and claims 26-36 are new.

35 U.S.C. §112

Claims 1, 12 and 20 stand rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. More particularly, the office action suggests that the phrase "the movable support member being movable at a rate different than that of the shaft" is not described in the specification in such a way as to reasonably convey to one skilled in the art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

This rejection was restated in the advisory action. Applicant disagrees.

One of ordinary skill in the art would recognize that the inventor had possession of a support member that is movable at a different rate than the shaft as recited in claims. For instance, page 9, lines 27-28 states that "migrating lubricant should reduce the friction caused by contact between the bottom 224 of the shaft 223 and the top of the ball bearing 330." If the support member was not moving at a different rate than the shaft, there would be no friction and, thus, no need for lubricant. However, there is a need for lubricant to reduce friction, thus, the support member and the shaft must be moving at different rates.

Further support may be found at page 11, line 25 to page 12, line 2 of the specification which recites that "[l]ubricant contained within the cavity 320 may ease the relative movement between the support member 330 and the shaft lower end 224." See also page 2, lines 9-10 of the specification ("The movable support member illustratively is movable relative to the shaft.").

Therefore, one of ordinary skill in the relevant art would reasonably conclude that the inventor(s), at the time the application was filed, had possession of the claimed invention. Applicant submits that the instant claims are fully enabling and comply with

the requirements of 35 U.S.C. § 112, first paragraph, and are therefore in condition for allowance.

35 U.S.C. §102(b)

The office action maintains the rejection of claims 1-25 as being anticipated under 35 USC §102(b) by the disclosure of US Patent No. 5,710,678 (Leuthold et al., hereinafter "Leuthold"). Claim 1 requires, in part, a movable support member that is movable at a rate different than that of the shaft.

Leuthold discloses a steel ball 160 fixed to the end of a shaft 20 (see Leuthold at col. 8, lines 12-13). Because the steel ball 160 of Leuthold is fixed to the end of shaft 20, the steel ball appears to move at the same rate as the shaft. Nowhere does Leuthold state that the steel ball 160 moves at a rate different than that of the shaft. During the Examiner's interview of March 22, 2006, the Examiner agreed with this.

Accordingly, because the Leuthold motor does not have a support member that is movable at a rate different than that of the shaft, such as that claimed by claim 1, claim 1 is allowable over the prior art of record. In addition, dependent claims 2-11 also are allowable for the same reasons.

Claims 12-19 require that the movable support member is movable at a rate different than that of the shaft, and claims 20-25 require that the movable means is movable at a rate different than that of the shaft. Accordingly, claims 12-25 are allowable over the art of record for the same reasons as discussed above with regard to claim 1.

New Claims 26-36

New claim 26 requires, in part, a movable support member that is rotatable to expose different regions of its surface to contact with the shaft. Support for this limitation (all of the other limitations being the same as claim 1) may be found, for example, on page 11, lines 25-28 of the application. Claim 26 is believed to be patentable over Leuthold for the reasons discussed below.

Leuthold discloses a steel ball 160 fixed to the end of a shaft 20 (see Leuthold at col. 8, lines 12-13). Because the steel ball 160 of Leuthold is fixed to the end of shaft 20, the steel ball it is not rotatable to expose different regions of its surface to contact with the shaft as recited in claim 26. Nowhere does Leuthold state that the steel ball 160 is rotatable to expose different regions of its surface to contact with the shaft.

Accordingly, because the Leuthold motor does not have a support member that is rotatable to expose different regions of its surface to contact with the shaft , claim 26 is allowable over the prior art of record. In addition, dependent claims 27-36 also are allowable for the same reasons.

Consideration of the application and issuance of a notice of allowance are respectfully requested. If any additional fees are required for the timely consideration of this application, please charge deposit account number 19-4972.

If the Examiner has any questions as to the allowability of the currently pending claims or if there are any defects which need to be corrected, the Examiner is invited to speak to the Applicants' counsel at the telephone number given below.

Respectfully submitted,



M. Brad Lawrence
Reg. No. 47,210
Attorney for Applicants
(617) 443-9292

00917/00198 550471.1